IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 583 OF 2002

IN

SHORT CAUSE SUIT NO. 1680 OF 1984

Shri Deveshwar Basabanand ... Appellant
(Org. Plaintiff)

Versus

Shri Mahila Griha Udyog Lijjat Papad. Respondent
(Org. Defendant)

Ms. Kavita A.Shah i/b. A.G.Shah for appellant.

Mr.N.Y.Gupte for respondent.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.

DATE: 23rd October,2007.

P.C.

1. By this Appeal, the appellant challenges the Judgment dated 6.3.2002 passed by a learned Single Judge of this Court in Short Cause Suit No.1680 of 1984. That suit was filed by the present appellant for recovery of Rs.52,470/- with interest. According to the plaintiff, the defendant placed an order with the plaintiff for printing and supply of labels as per specimen provided by the defendant. According to the plaintiff, the defendant placed two orders for printing and supply of labels. According to the plaintiff, though the plaintiff printed labels and offered them to the

defendant, the defendant did not accept and, therefore, the claim was made. Parties led evidence. The learned Single Judge dismissed the suit. He found that the plaintiff has not placed any documents on record to show that the plaintiff got labels printed and offered them to the defendant. As the learned Judge found that there is no documentary evidence led, the claim of the plaintiff cannot be accepted.

2. We have heard learned Counsel for the appellant. She does not dispute that there is no documentary evidence placed on record to show for how much price labels were bought by the plaintiff for the purpose of printing them, how much expenditure was done by the plaintiff in printing those labels and there is no document on record to show that after printing labels they were sent to the defendant.

3. In this view of the matter, we find no reason whatsoever to interfere with the judgment and order of the learned Single Judge. The Appeal is devoid of any substance.

The Appeal is, therefore, dismissed.

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)